

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

**Caption in Compliance with D.N.J. LBR 9004-1(b)**

VIRGINIA E. FORTUNATO, LLC  
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Attorney for Debtor, Linda C. Miller

In Re:

LINDA C. MILLER,

Debtor.

Case No.: 22-11992/VFP

Judge: Vincent F. Papalia

Chapter: 13

**CHAPTER 13 ATTORNEY'S CERTIFICATION IN OPPOSITION**

The debtor(s), through their counsel, in this case opposes the following **(choose one)**:

1. ☐ Motion for Relief from the Automatic Stay filed by \_\_\_\_\_ ,  
creditor,

A hearing has been scheduled for \_\_\_\_\_ , at \_\_\_\_\_ .

- ☐ Motion to Dismiss filed by the Chapter 13 Trustee.

A hearing has been scheduled for \_\_\_\_\_ , at \_\_\_\_\_ .

- ☒ Certification of Default filed by \_\_\_\_\_ Chapter 13 Trustee \_\_\_\_\_ ,

I am requesting a hearing be scheduled on this matter.

2. I oppose the above matter for the following reasons **(choose one)**:

- ☐ Payments have been made in the amount of \$ \_\_\_\_\_ , but have not  
been accounted for. Documentation in support is attached.

☐ Payments have not been made for the following reasons and debtor proposes repayment as follows (**explain your answer**):

☒ Other (**explain your answer**):

The Debtor has advised that she fell behind on her payments due to unanticipated expenses, including the need to replaced a broken cell phone. She is requesting that the arrears be rolled into the plan. It does not appear that payments will need to increase. The Debtor can resume payments in July 2023.

3. This certification is being made in an effort to resolve the issues raised in the certification of default or motion.
4. I certify under penalty of perjury that the above is true.

Date: July 4, 2023

/s/ Virginia E. Fortunato, Esq.  
Attorney for Debtors

**NOTES:**

1. Under D.N.J. LBR 4001-1(b)(1), this form must be filed with the court and served on the Chapter 13 Trustee and creditor, if applicable not later than 7 days before the date of the hearing if filed in opposition to a Motion for Relief from the Automatic Stay or Chapter 13 Trustee's Motion to Dismiss.
2. Under D.N.J. 4001-1 (b)(2), this form must be filed with the court and served on the Chapter 13 Trustee and creditor, if applicable not later than 14 days after the filing of a Certification of Default.